IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CIVIL JURISDICTION

Writ Petition No.l93 of 2005

Jaiwant Waman Gaitonde..petitioner
vs
State of Mah & ors..Respondents

Mr G.J.Sabnis for Petitiners
Mr P M Patil AGP for State

CORAM: A.P.SHAH & D.Y.CHANDRACHUD JJ.
Dated 2l.7.2005

P.C:

. Heard advocates.

. In the instant case the award was passed on l3.5.2003. According to the petitioner he came to know about the award only on l0.3.2004 when the compensation was paid to him. The petitioner thereafter applied for certified copy of the award on l6.3.2004 and the same was received by him on 26.3.2004.Even if we exclude the period for obtaining certified copy, application dt 26.5.2004 for reference filed by the petitioner under section l8 of the Act was clearly beyond the period of limitation. In view the decision of the Full Bench in Suresh Marutrao Jadhav vs State of Maharashtra and ors, 2002 (5) Bom C R 347 section 5 of the Limitation Act is not applicable and the Collector has no power to condone the delay. Petition is

therefore dismissed.